

Appendix H:

MINERAL ORDERS FOR THE NORTHWEST AREA PLAN

The Northwest Area Plan identifies certain areas where mineral entry status should be changed. Specific areas are identified for mineral closure in the management intent for individual subunits in Chapter 3. These recommendations are also described briefly in Chapter 4 under "Mineral Orders". DNR's Finding of the Commissioner needed to implement this order is contained in this appendix. The appendix also includes maps and descriptions of the areas proposed for mineral closures.

This appendix contains Mineral Closing Order #568, affecting 13 coastal bird rookeries, and 7 sheefish spawning areas along the Kobuk River.

STATE OF ALASKA
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF LAND AND WATER MANAGEMENT

MINERAL ORDER NO. 568

X Closing Lands to Mineral Entry Opening Lands to Mineral Entry

I. Geographic Name Northwest Area

II. This mineral order is based on written justification contained in:

 Land Planning Report dated

X Northwest Area Plan
 Management Plan

III. Legal Description Acreage

See attachments 1 and 3

See attachment 2

IV. This order is subject to valid existing rights and issued under the authority granted by AS 38.05.185 - 38.05.275 to the Department of Natural Resources. The above described lands are hereby X closed opened to entry under the locatable mineral and mining laws of the State of Alaska.

Concur:

Mary Gustafson
Director
Division of Land and Water Management

2-9-89
Date

Concur:

Greg Gallagher
Director
Division of Mining

2/9/89
Date

Approved by:

Bernie Gossard
Commissioner
Department of Natural Resources

2-24-89
Effective Date

10-1083 (08/85)

**NORTHWEST AREA PLAN
FINDING OF THE COMMISSIONER
FOR MINERAL CLOSING ORDER #568
A.S. 38.05.185 (a)**

The Northwest Area Plan (NWAP), developed in accordance with A.S. 38.04.065, identifies certain areas to be closed to new locatable mineral entry because mining activity would not be compatible with significant surface uses (A.S. 38.05.185). The areas to be closed are state-owned or state-selected lands at: 1) 13 bird rookeries on uplands and/or tidelands; 2) 7 sheefish spawning sites. These are areas of significant surface use, and the state is committed to take all reasonable actions necessary to preclude the creation of any new third-party interests in these lands, including mining claims and leasehold locations. These closures have been given public review through the Northwest Area planning process.

1). Seabird rookeries.

The thirteen identified areas provide unique nesting habitat on the seacliffs and abundant food resources in nearby offshore waters, enabling these areas to support large seabird colonies. They are crucial habitat areas that serve as a concentrated use area for the bird species during a sensitive life history stage, where alteration or disruption of the habitat could result in the permanent loss of the population and the species' sustained yield.

The coast of the Seward Peninsula hosts seven important seabird rookeries, several of which are among the largest in the region. At Bluff, on the southern shore of the Peninsula, four important bird rookeries have been identified. Here, the bird populations range between 40,000 and 90,000, with murres accounting for approximately 75 percent of the nesting birds. In addition, two important seabird colonies are found in the vicinity of Cape York, and two are located near Rocky Point.

In Kotzebue Sound, two important bird rookeries have been identified: one on Choris Peninsula, and the other at Ninemile Point. The Choris Peninsula area hosts thousands of seabirds, including glaucous gulls, horned puffins, black-legged kittiwakes, pigeon guillemots, black guillemots, tufted puffins, pelagic cormorants, and parakeet auklets.

Three important rookeries have been identified on the coast between Cape Lisburne and Icy Cape. Corwin Bluffs, Solivik Island, and Icy Cape Spit all host significant seabird populations, including those of the common murre, thick-billed murre, and black-legged kittiwake.

The above mentioned rookeries, their adjacent uplands, tidelands, and submerged lands are crucial to the continued health of these seabird populations. Any mining activity in the uplands within 1/4 mile of these rookeries would have a detrimental impact on the seabird population of that area. In addition, in areas of high mineral potential, tidelands and submerged lands within 1/4 mile of the rookeries will be closed to new mineral entry. Mining in the above-referenced areas is incompatible with the seabird rookeries' continued existence, and is contrary to Northwest Area Plan land management policies for fish and wildlife habitat.

2). Sheefish spawning sites.

The seven sheefish spawning sites identified in this finding are the only known and documented spawning sites for sheefish in the Kobuk River basin. Habitat requirements for sheefish spawning are extremely specific, and whole populations can spawn in relatively small areas. The water must be well-oxygenated and lie within a narrow range of temperatures, and the streambed gravel must be coarse and free of silt. Riparian land adjacent to streams is also essential for maintaining productivity.

Any new mineral entry would be prohibited: a) within the streambed of the identified spawning areas, and; b) on state-owned or state-selected uplands within 200 feet of the ordinary high water mark on either side of the identified spawning areas. Fish from these spawning sites are an important part of subsistence and sport fisheries in the Kobuk River basin. Any mining activity within these critical habitat areas is incompatible with the continued existence of the sheefish population and is contrary to Northwest Area Plan land management policies for fish and wildlife habitat.

Therefore it is my finding, in accordance with A.S. 38.05.185, that the best interests of the state and its residents are served by the closure to entry under the locatable mineral and mining laws of the State of Alaska of the above areas, more particularly described in Mineral Closing Order #568. This closure is subject to valid existing rights.


COMMISSIONER

Department of Natural Resources

2-24-89

Date

ATTACHMENT 1
LEGAL DESCRIPTIONS OF LANDS CLOSED TO NEW MINERAL ENTRY
FOR MINERAL CLOSING ORDER #568

1). Bird rookeries--lands that will be closed to new mineral entry are listed below (Uplands are defined as those state lands found above the Mean High Tide line). Maps depicting these areas are found in Attachment 3.

<u>Location</u>	<u>Name</u>
T11N R39W, UM. All uplands within the following aliquot parts: Sec. 7: SW1/4 NE1/4; SE1/4 NW1/4; NE1/4 SW1/4 NW1/4 SE1/4; N1/2 SW1/4 SE1/4;	Icy Cape
T10N R41W, UM. All uplands within the following aliquot parts: Sec. 21: N1/2 SE1/4; SE1/4 NE1/4; Sec. 22: W1/2 SW1/4 NW1/4; W1/2 NW1/4 SW1/4;	Solivik Island
T6S R56W, UM. Sec. 36: All Uplands	Corwin Bluff
T7S R56W, UM. All uplands within the following aliquot parts: Sec. 1: N1/2 N1/2 N1/2 NE1/4; N1/2 NE1/4 NE1/4 NW1/4;	
T11N R15W, KRM. Secs. 19, 20, 21, 29, 30, 32, 33, 34: All uplands	Choris Peninsula
T10N 15W, KRM. Secs. 4, 5, 8, 9, 10, 14, 15, 16, 17: All uplands	
T8N R18W, KRM. Secs. 27, 28: All uplands All uplands within the following aliquot parts: Sec. 33: NE1/4 NE1/4; Sec. 34: NW1/4 NW1/4;	Ninemile Point
All tide and submerged lands 1/4 mile seaward of the following uplands: T1S R43W, KRM Secs. 3, 10:	Cape York
All tide and submerged lands 1/4 mile seaward of the following uplands: T1S R43W, KRM Sec. 13: E1/2; T1S R42W, KRM Sec. 18: W1/2;	King River

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<u>Location</u>	<u>Name</u>
All tide and submerged lands 1/4 mile seaward of the following uplands: T11S R27W, KRM Secs. 2, 11, 12: T11S R26W, KRM Sec. 6: E1/2; Sec. 7:	Topkok Head
T11S R26W, KRM. All uplands within the following aliquot parts: Sec. 4: S1/2 S1/2 N1/2; Sec. 5: S1/2; S1/2 N1/2; Including all tide and submerged lands 1/4 mile seaward of the above described uplands.	Topkok
T10S R26W, KRM. All uplands within the following aliquot parts: Sec. 35: E1/2 SE1/4; Sec. 36: W1/2 SW1/4; Including all tide and submerged lands 1/4 mile seaward of the above described uplands	Eldorado Creek
All tide and submerged lands 1/4 mile seaward of the following uplands: T11S R25W, KRM. Sec. 6: E1/2; Secs. 2, 3, 4, 5:	Bluff
T11S R23W, KRM. All uplands within the following aliquot parts: Sec. 30: S1/2; Sec. 31: Sec. 32: S1/2 N1/2; S1/2; W1/2 NW1/4 NW1/4; Sec. 33: SW1/4 SW1/4 NW1/4; NW1/4 SW1/4;	Chiukak
T12S R23W, KRM. All uplands within the following aliquot parts: Sec. 25: SW1/4; Sec. 36: NW1/4; W1/2 NE1/4;	Rocky Point

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2). Sheefish spawning sites--all or part of the Kobuk River shorelands (lands under non-tidal navigable waters) within the sections described below are closed to new mineral entry. In addition, all state (selected, tentatively approved, or patented) lands within 200 feet of the ordinary high water mark of either bank on the described portions of the Kobuk River streambed will be closed to new mineral entry. For a detailed description of these lands, see Attachment 3.

<u>Location</u>	<u>Name</u>
T17N R11E, KRM. Secs. 7, 8, 16, 17, 18, 21	Kobuk 1
T17N R11E, KRM. Secs. 22, 23, 27, 28	Kobuk 2
T17N R11E, KRM. Secs. 13, 24	Kobuk 3
T17N R12E, KRM. Secs. 18, 19, 20, 29	
T17N R12E, KRM. Secs. 35, 36	Kobuk 4
T17N R13E, KRM. Sec. 31	
T16N R13E, KRM. Secs. 5, 6	
T16N R13E, KRM. Secs. 4, 5, 8, 9, 10, 15, 16, 21, 22	Kobuk 5
T16N R14E, KRM. Secs. 22, 23, 24	Kobuk 6
T16N R15E, KRM. Sec. 19	
T16N R17E, KRM. Secs. 1, 11, 12	Kobuk 7
T16N R18E, KRM. Secs. 5, 6, 7, 8	

**ATTACHMENT 2
DESCRIPTIONS AND LOCATIONS
FOR MINERAL CLOSING ORDER #568**

<u>Township & Range</u>	<u>USGS Quad.</u>	<u>Northwest Area Plan Mgmt. Unit</u>	<u>Name</u>	<u>Acreage</u>	<u>Approx. Length (Miles)</u>
Bird Rookeries:					
T11N R39W, UM	Wainwright B5/B6	1	Icy Cape	130	--
T10N R41W, UM	Wainwright A6/A7	1	Solivik Island	80	--
T6S R56W, UM T7S R56W, UM	Point Hope D1	1	Corwin Bluff	110	--
T11N R15W, KRM T10N R15W, KRM	Selawik B6	2	Choris Peninsula	2830	--
T8N R18W, KRM	Kotzebue A1	2	Ninemile Point	50	--
T1S R43W, KRM	Teller B5	4	Cape York	190	--
T1S R43W, KRM T1S R42W, KRM	Teller B5	4	King River	160	--
T11S R26W, KRM T11S R27W, KRM	Solomon C4,C5	5	Topkok Head	480	--
T11S R26W, KRM T10S R26W, KRM	Solomon C4	5	Topkok	520	--
T10S R26W, KRM	Solomon C4	5	Eldorado Creek	180	--
T11S R24W, KRM T11S R25W, KRM	Solomon C4	5	Bluff	720	--
T11S R23W, KRM	Solomon C3, B3	5	Chiukak	490	--
T12S R23W, KRM	Solomon B3	5	Rocky Point	310	--
Subtotal				6,250	

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<u>Township & Range</u>	<u>USGS Quad.</u>	<u>Northwest Area Plan Mgmt. Unit</u>	<u>Name</u>	<u>Acreage</u>	<u>Approx. Length (Miles)</u>
Sheefish Spawning Areas:					
T17N R11E, KRM	Shungnak D1/D2	3	Kobuk 1	280	3
T17N R11E, KRM	Shungnak D1	3	Kobuk 2	220	2
T17N R11E, KRM T17N R12E, KRM	Shungnak D1	3	Kobuk 3	300	3.5
T17N R12E, KRM T17N R13E, KRM T16N R13E, KRM	Shungnak D1	3	Kobuk 4	620	3
T16N R13E, KRM	Shungnak D1	3	Kobuk 5	540	3.5
T16N R14E, KRM T16N R15E, KRM	Hughes D6	3	Kobuk 6	580	4
T16N R17E, KRM T16N R18E, KRM	Hughes D5	3	Kobuk 7	530	4
Subtotal				3,070	

Total acreage = 9,320
(less than one-tenth of a percent of state lands in planning area)

ATTACHMENT 3
MAPS OF MINERAL CLOSURES
FOR MINERAL CLOSING ORDER #568

Copies of the following USGS maps are attached:

1) Bird rookeries.

Kotzebue A-1
Point Hope D-1
Selawik B-6
Solomon B-3, C-3, C-4, C-5
Teller B-5
Wainwright A-6/A-7, B-5/B/6

2) Sheefish spawning sites.

Hughes D-5, D-6
Shungnak D-1, D-2

KEY:



Area affected by Mineral Closing Order #568: state-owned or state-selected uplands within one quarter mile of seabird rookeries and/or tide and submerged lands within one quarter mile of rookeries.

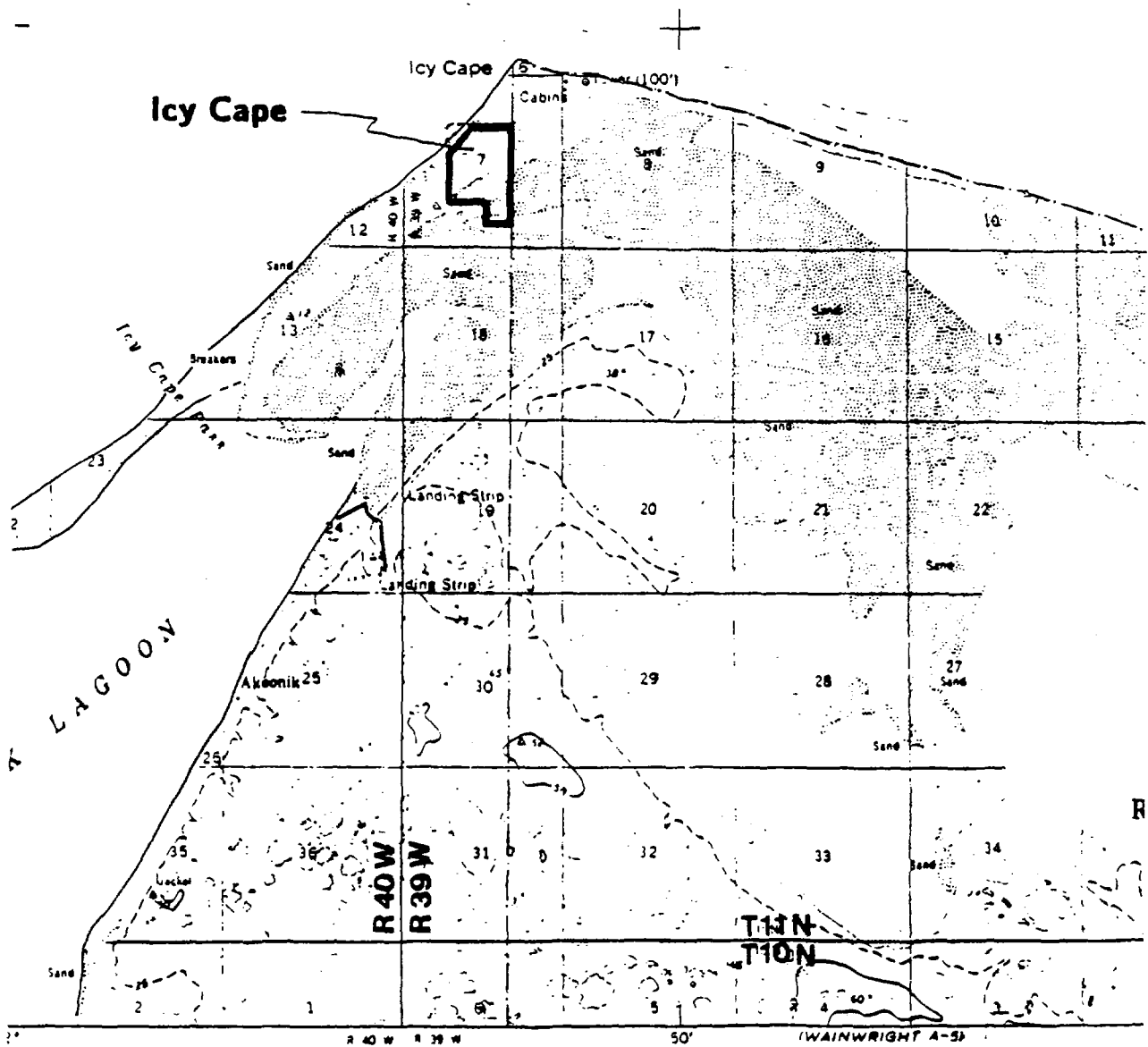


Area affected by Mineral Closing Order #568: Kobuk River shorelands (lands under non-tidal navigable waters), and all state-owned or state-selected lands within 200 feet of ordinary high water mark of either bank of the described shorelands.

BIRD ROOKERY

BASE MAP: USGS QUADRANGLE - WAINWRIGHT B5/B6

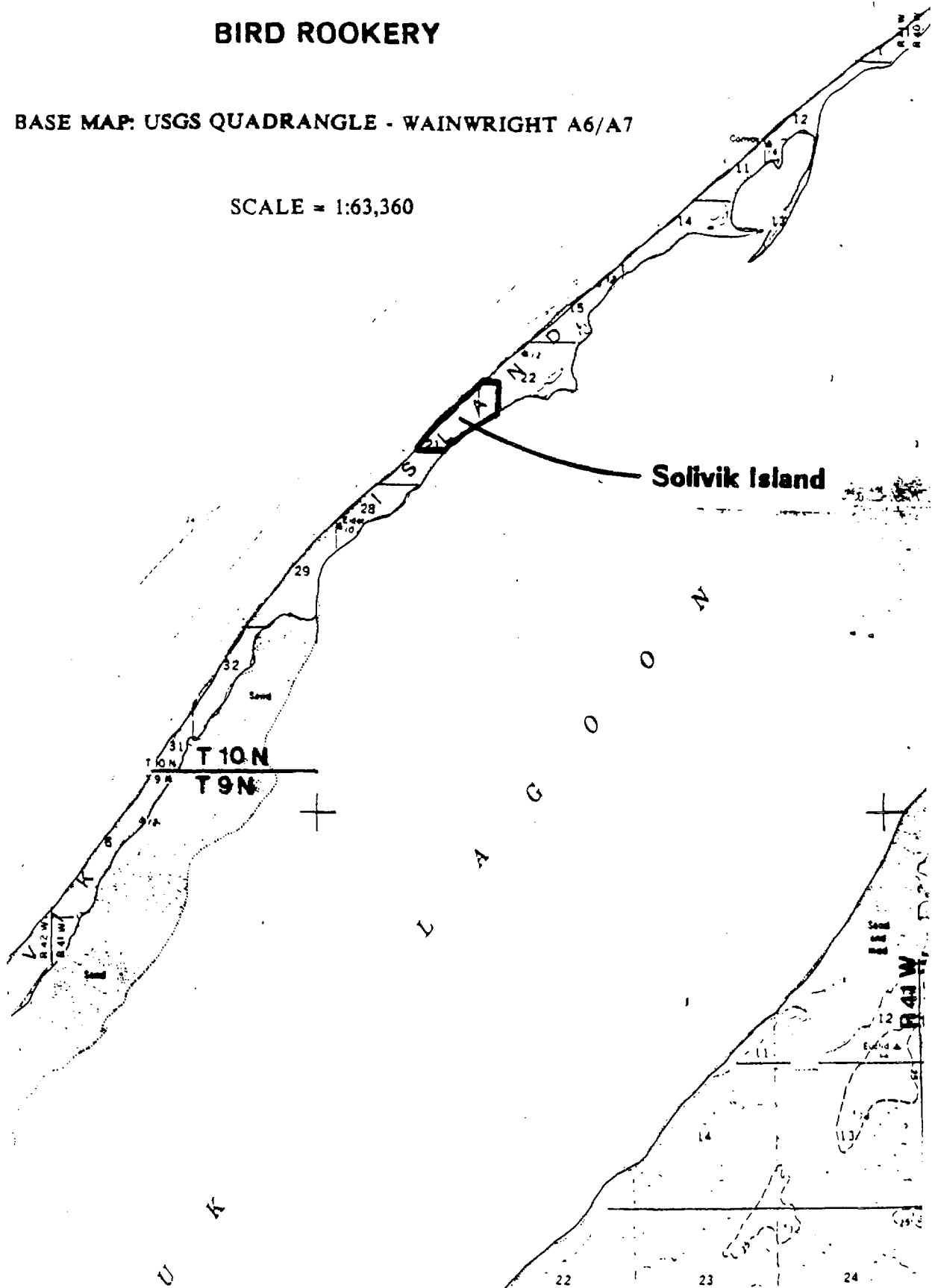
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BIRD ROOKERY

BASE MAP: USGS QUADRANGLE - WAINWRIGHT A6/A7

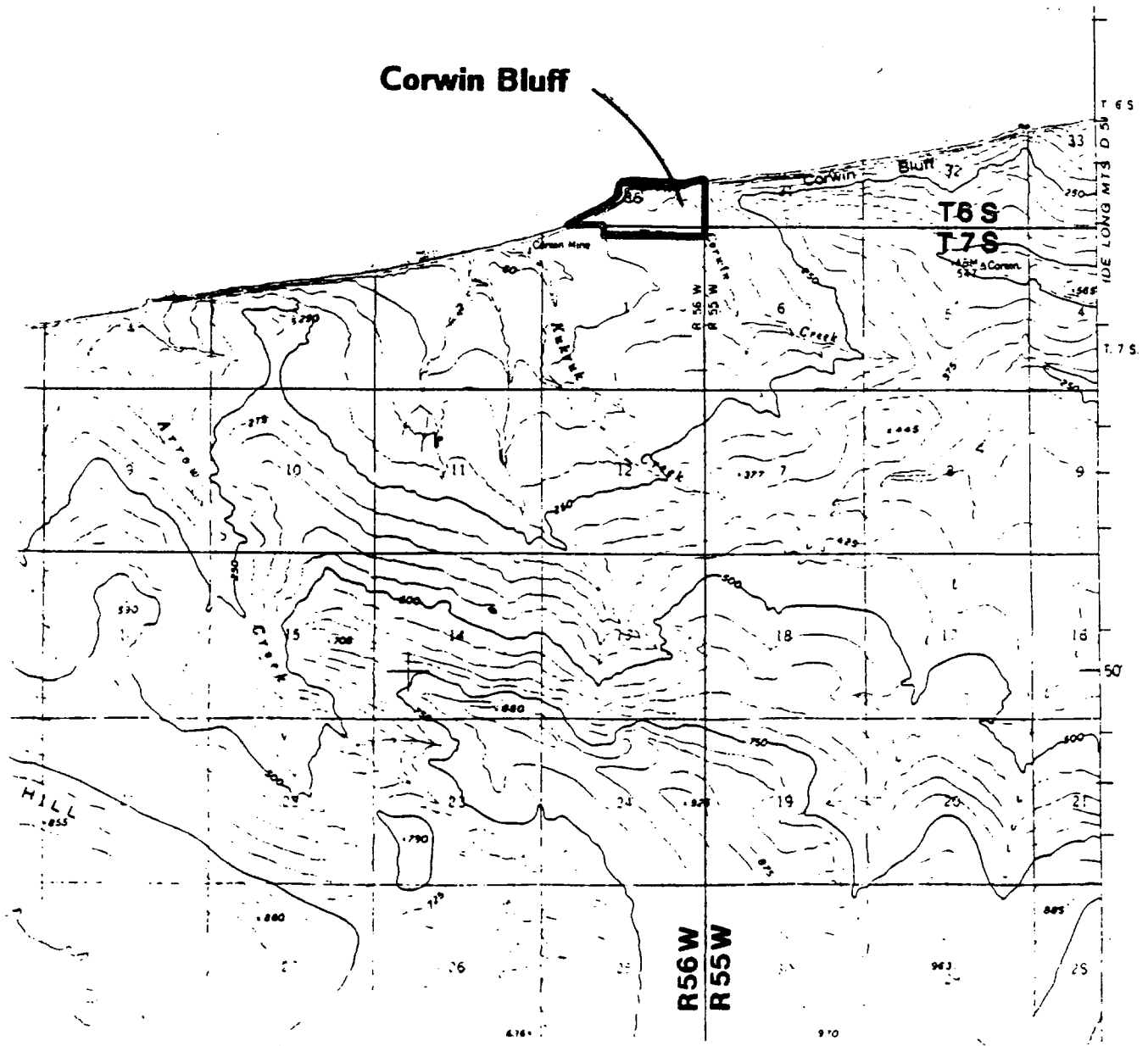
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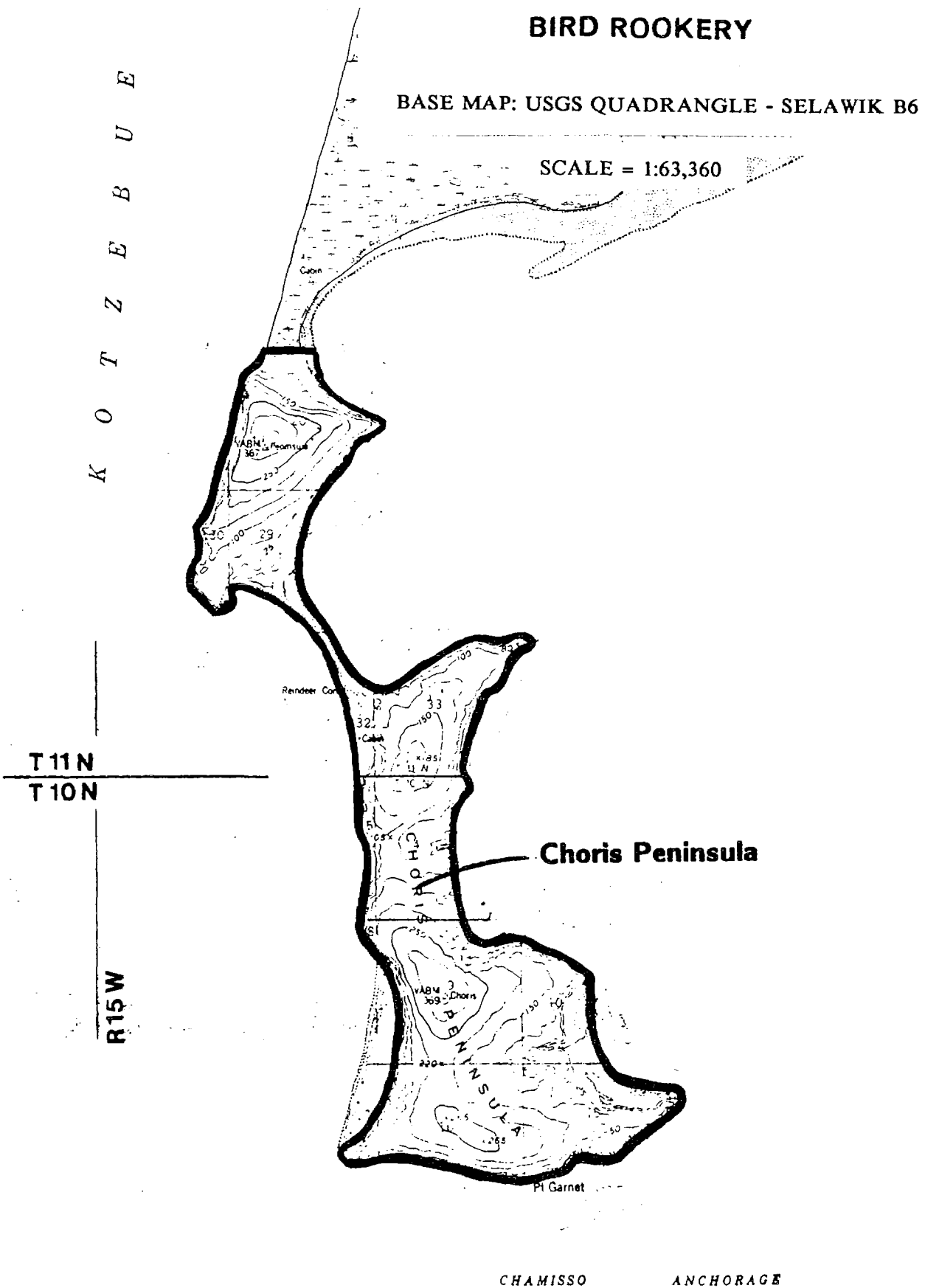


BIRD ROOKERY

BASE MAP: USGS QUADRANGLE - POINT HOPE DI

SCALE = 1:63,360

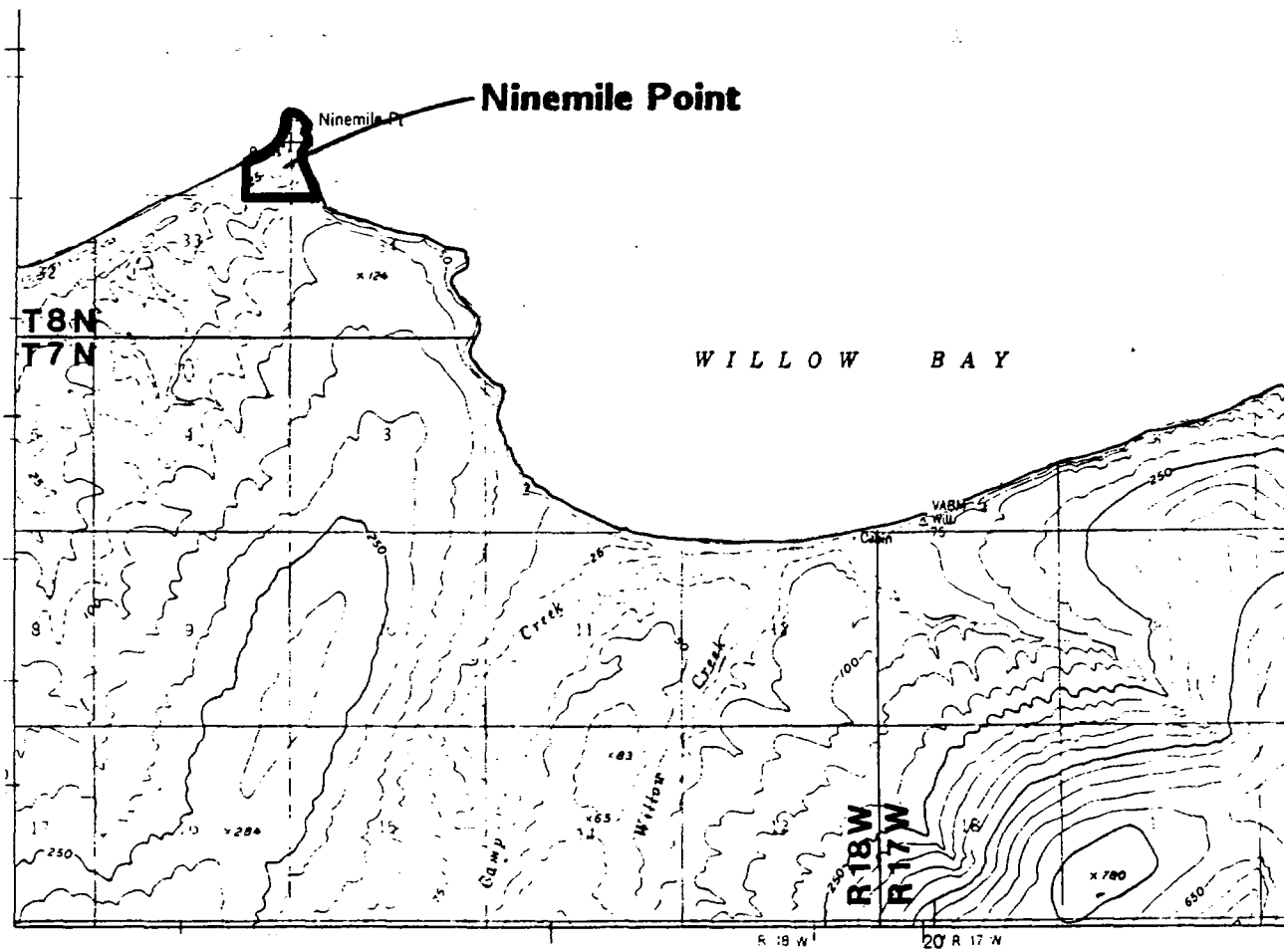




BIRD ROOKERY

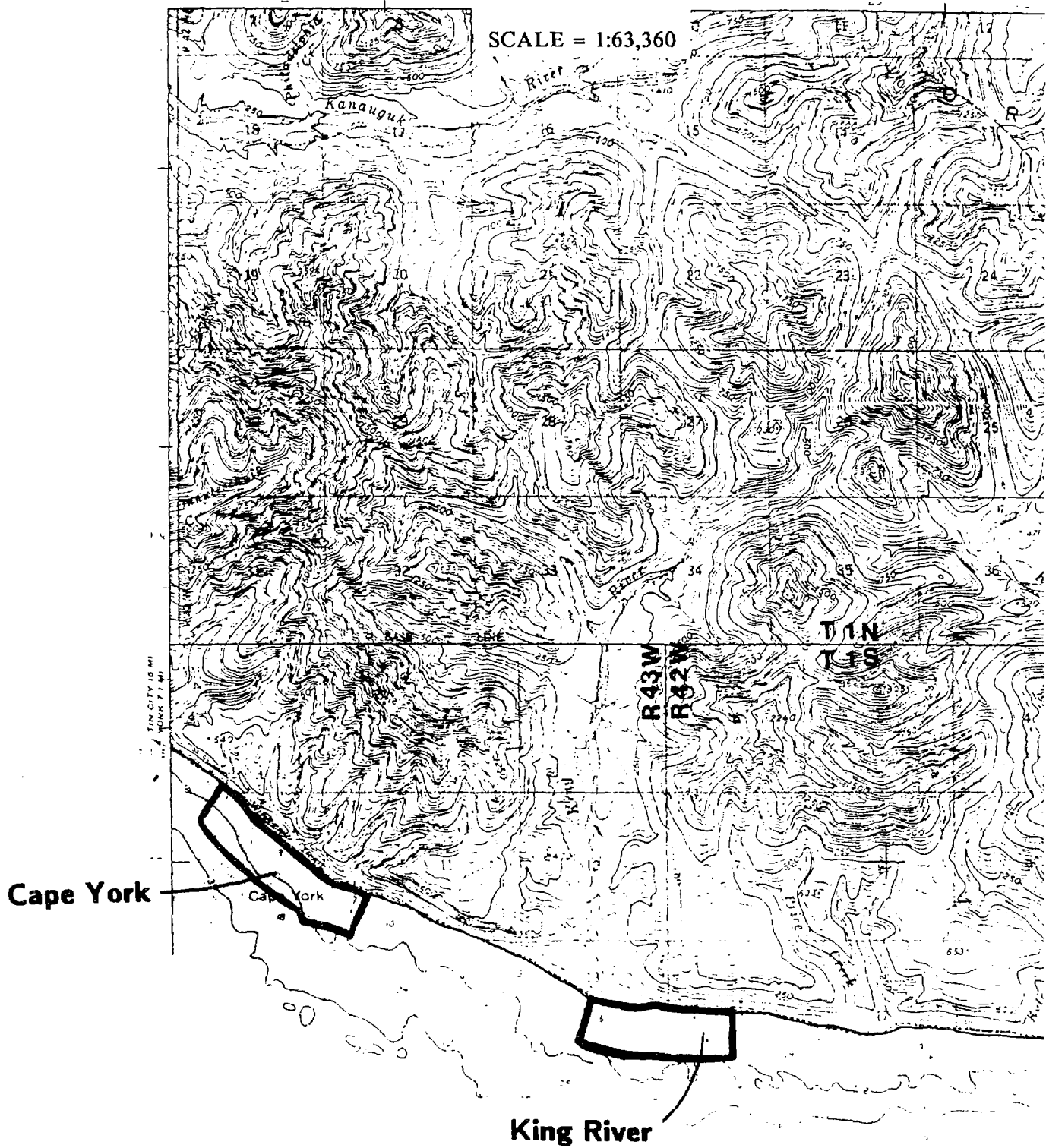
BASE MAP: USGS QUADRANGLE - KOTZEBUE A1

SCALE = 1:63,360



BIRD ROOKERY

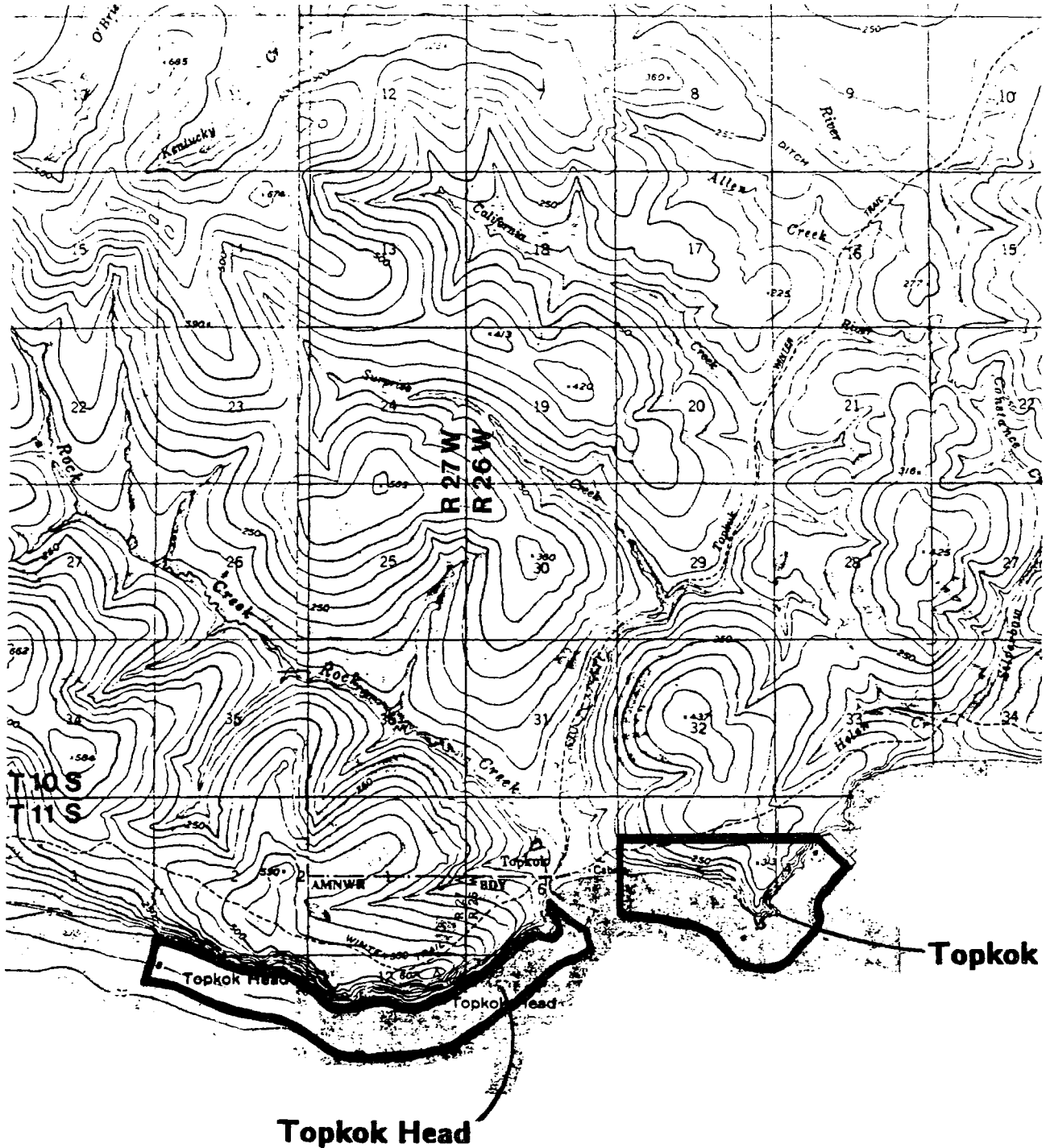
BASE MAP: USGS QUADRANGLE - TELLER B5



BIRD ROOKERY

BASE MAP: USGS QUADRANGLE
SOLOMON C4, C5

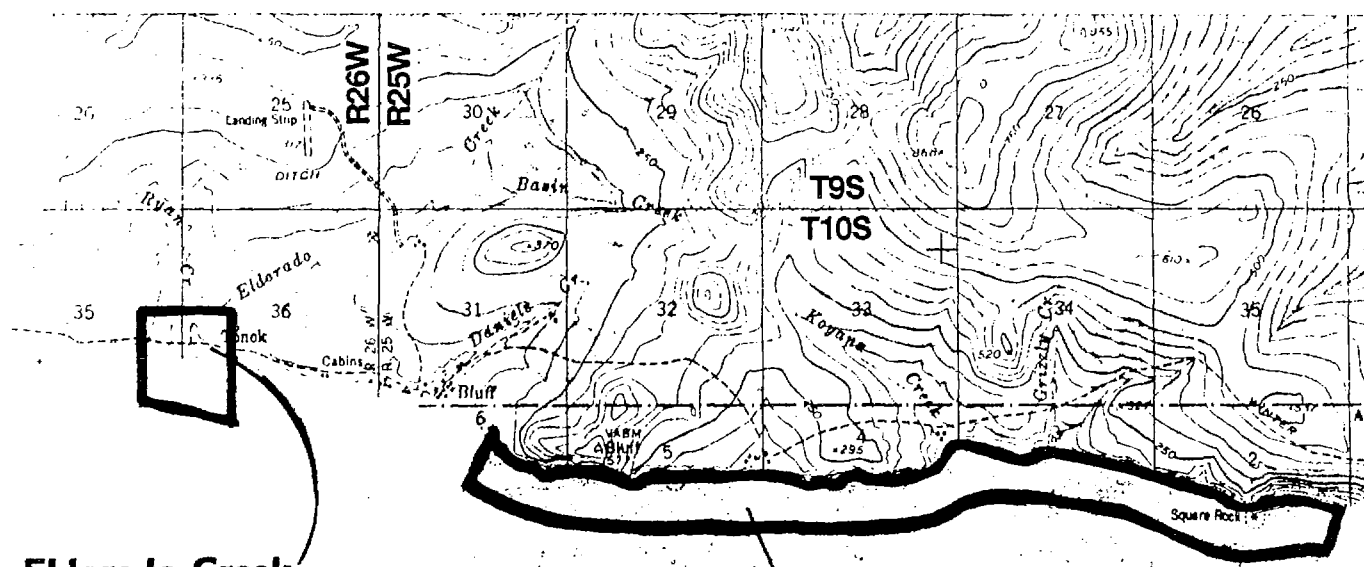
SCALE = 1:63,360



BIRD ROOKERIES

BASE MAP: USGS QUADRANGLE - SOLOMON C4

SCALE = 1:63,360

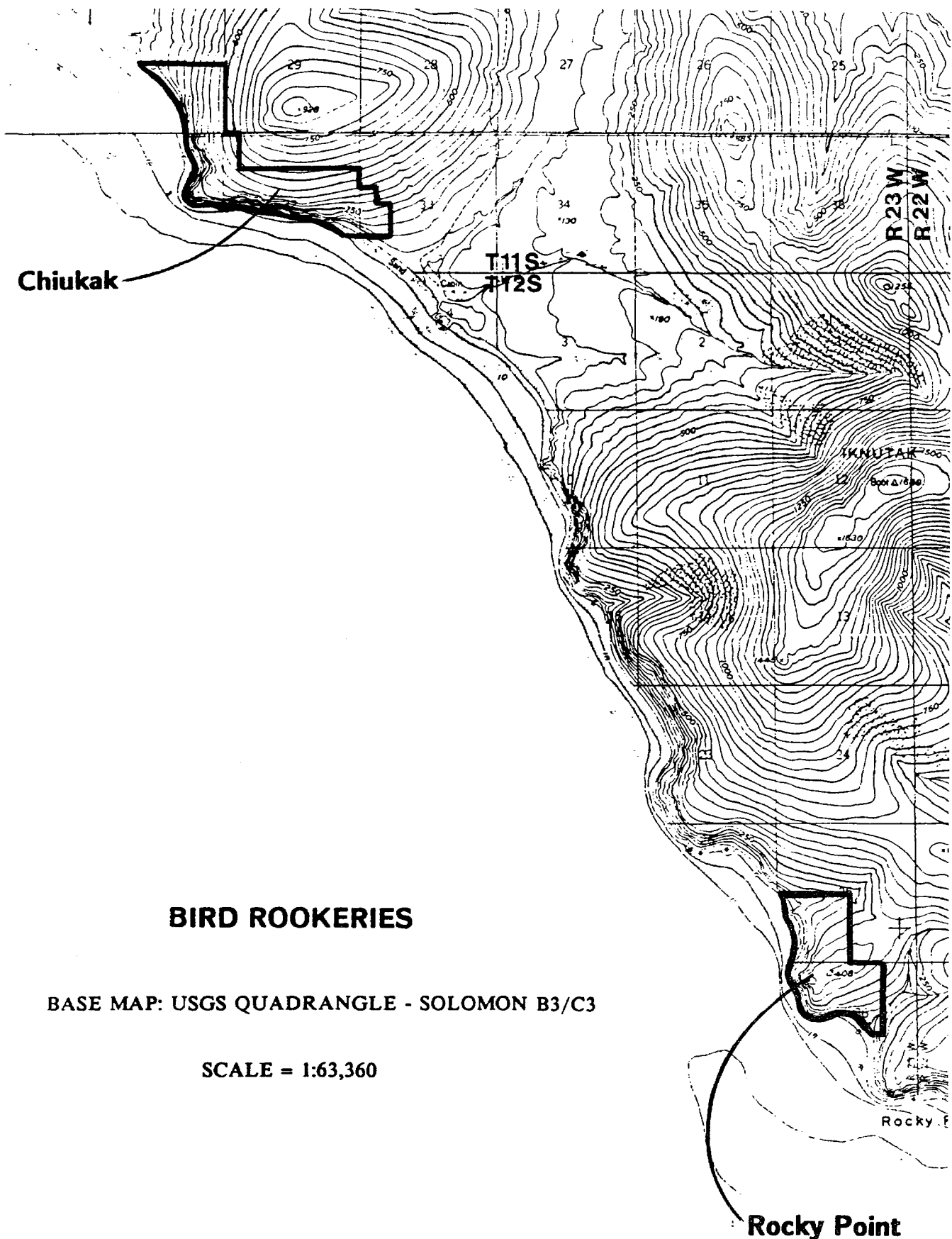


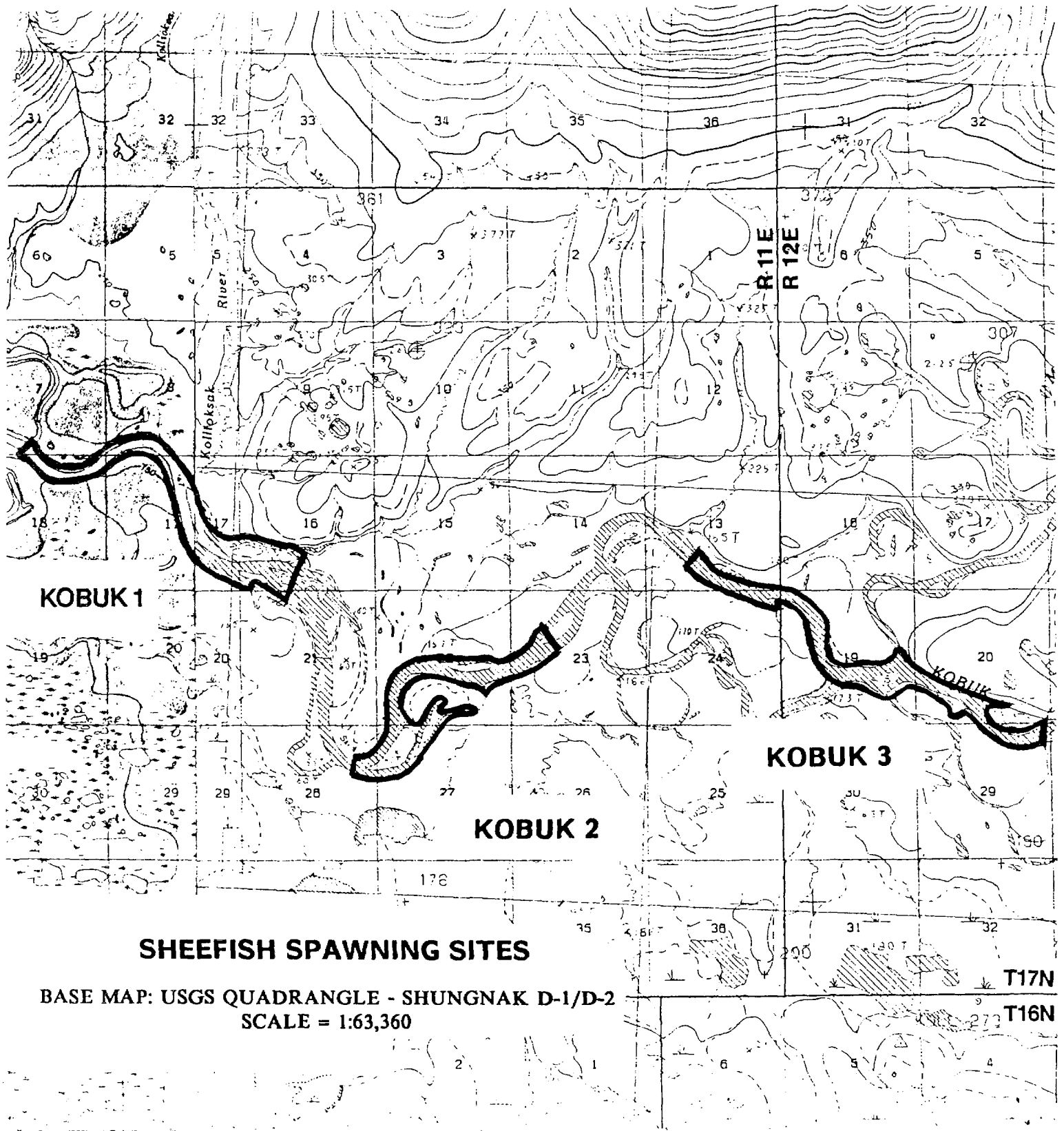
Eldorado Creek

Bluff

T O N

S O U N D





SHEEFISH SPAWNING SITES

BASE MAP: USGS QUADRANGLE - SHUNGNAK D-1
SCALE = 1:63,360

